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Practitioner's Docket No. U 014869-6

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pang-Lung YANG

Serial No.: 10/716,068

Group No.: 1732

Filed: November 18, 2003

Examiner: M. Vargot

For: PROCESS FOR PATTERNING AN OPTICAL ELEMENT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: GROUP DIRECTOR

TRANSMITTAL for INFORMATION DISCLOSURE STATEMENT AFTER
MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE
BUT BEFORE PAYMENT OF ISSUE FEE (37 C.F.R. 1.97(d))

NOTE: 37 C.F.R. 1.97: "(d) An information disclosure statement shall be considered by the Office if filed by the applicant after the period specified in paragraph (c) of this section (i.e., after the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application), provided that the information disclosure statement is filed on or before payment of the issue fee and is accompanied by:

- (1) The statement specified in paragraph (e) of this section; and
- (2) The fee set forth in § 1.17(p)."

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

- ☐ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☒ transmitted by facsimile to the Patent and Trademark Office. to (571)-273-8300

Signature

Date: December 19, 2007William R. Evans

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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NOTE: *If the information disclosure statement that contains the items required by 37 C.F.R. 1.97(d) is filed before, or simultaneously with, the payment of the issue fee, then it will be considered. See Notice of April 20, 1992 (1138 O.G. 37-41, 40) and 37 C.F.R. 1.97(d).*

**TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement **OF DECEMBER 17, 2007**, was filed *after* a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

WARNING: *"A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.*

STATEMENT, PETITION AND FEE

2. In accordance with the requirements of 37 C.F.R. 1.97(d):
- A. A statement, as specified in 37 C.F.R. 1.97(e) was filed **December 17, 2007**.
 - B. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. 1.97(d)(2).
 - C. Applicant submits the petition fee set forth in § 1.17(p) (\$180.00).

NOTE: *"The petition should be directed to the Group Director of the examining group handling the application. The petition need do nothing more than request consideration of the information being submitted." Notice of April 20, 1992 (1138 O.G. 37-41, 40).*

FEE DUE

3. Petition fee due (§ 1.17(p)): \$180.00

METHOD OF PAYMENT OF FEE

- 4.
- ☐ Attached is a check for \$180.00.
 - ☒ Charge Account 12-0425 \$180.00.
A duplicate of this petition is attached.

If any additional petition fees are due, please charge Account _____.

(Transmittal of Information Disclosure Statement after Mailing Date of Final Action or Notice of Allowance But before
Payment of Issue Fee—page 2 of 3) 6-5

Reg. No.:

Tel. No.: ()

Customer No.:


SIGNATURE OF PRACTITIONER

William R. Evans, 25858, (212) 708-1930

(type or print name of practitioner)

P.O. Address

c/o Ladas & Parry LLP
26 West 61st Street
New York, N.Y. 10023

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